

REMARKS

Claims 23, 26, 28, 31 and 52-56 were pending. Claims 52 and 53 have been canceled. Claims 1, 23, 26 and 54 have been amended.

Claim 23 has been amended to incorporate the recitations of claim 26 and to clarify that cells can be contacted with a candidate modulator before or after inducing the cells to undergo caspase activation. This feature was supported throughout the specification and in claims 23, 29 and 30 as filed. Claim 26 has been amended to recite one of the previously recited secretase pathway associated proteins, BACE.

As a result, claims 23, 26, 28, 31 and 54-56 are now pending. No new matter has been added.

Rejection of the Claims Under 35 U.S.C. § 112, First Paragraph

The Examiner rejected claims 23, 28, 31, 52, 53, 55 and 56 as failing to comply with the enablement requirement of 35 U.S.C. § 112, first paragraph. Applicant respectfully requests reconsideration of the rejection.

Although Applicant respectfully disagrees with the Examiner and maintains that claims directed to methods related to the entire genus of secretase pathway associated proteins are enabled, to expedite prosecution of the application Applicant has amended the claimed methods to refer to the specific enumerated secretase pathway associated proteins indicated to be enabled by the Examiner.

Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection of the claims under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

Claim Objections

The Examiner objected to claim 56 as a substantial duplicate of claim 23. Applicant has amended claim 23 and respectfully requests reconsideration. Claim 23 has been clarified to recite that the cells can be contacted with the candidate modulator before or after inducing the cells to undergo caspase activation. Thus, claim 56 differs from claim 23 and is not a substantial duplicate. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the claim objection.

Rejection of the Claims Under 35 U.S.C. § 112, Second Paragraph

The Examiner rejected claims 53 and 55 as indefinite. The cancellation of claim 53 and the amendment of claim 23, respectively, obviate the bases for these rejections. Accordingly, Applicant respectfully requests reconsideration of the rejection.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,



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